

AMENDMENTS TO THE DRAWINGS

The attached sheet(s) of drawings includes changes to Figures 1, 2A and 2B. Please replace Figures 1, 2A and 2B with the attached drawings.

Attachment: Replacement sheet

REMARKS

The drawings have been objected to in the specification. The drawings have been amended accordingly.

Claims 18-24, 26-29, 31-32 and 35 have been rejected under 35 USC 102(e) as anticipated by Nattkemper. The rejected in respectfully traversed.

Nattkemper discloses a distributed telecommunications switching subsystem which received and distributes data packets passed between a plurality of switching subsystems or channel banks and a data packet switch. Each channel bank has a stored list of addresses. When a channel bank receives a data packet, it compares the address of the data packet to its stored list of addresses, and transmits the data packet to another channel bank if the address of the data packet does not correspond to any of the addresses in its stored list of addresses. The data packet is passed on until it reaches a channel bank with a matching address or else it is appropriately handled by a last channel bank in the chain. If the address of data packet matches an address in its stored list of addresses, the channel bank passes the data packet through a subscriber interface card to a customer premises equipment unit corresponding to the address of the data packet.

The present invention discloses a method for removal of ATM cells from an ATM communications device, having multiple ATM cells of which are in each case assigned to a common frame and which are stored in connection-specific queues, and has a first algorithm which, with the exception of the first and last ATM cell in a frame, removes newly arriving cells in the frame, and a second algorithm which removes ATM cells in a frame from the first to last cell on arrival in a queue from the ATM communications device. A user indicates at the start of the transmission process the maximum number of ATM cells per frame, using which number the ATM cells are transmitted. In the situation where this number is exceeded, the associated frame is discarded or the first algorithm is used.

Nattkemper fails to disclose that a user indicates at the start of the transmission process the maximum number of ATM cells per frame; using which number the ATM cells are transmitted.

Rather, the reference discloses a switching system utilizing certain thresholds to indicate congestion (14:15-53). An indication of congestions with a threshold is not a maximum number of ATM cells per frame. Additionally, Nattkemper fails to disclose a situation in which when the number is exceeded, the associated frame is discarded or the first algorithm is used. Rather, the reference discloses during congestions certain cells (not frame) are discarded using early or partial discard techniques (15:1-15).

Since the recited method is not disclosed by the applied prior art, the claims are patentable.

Claims 25, 30, 33 and 34 would be allowable if rewritten in independent form to include any base and intervening claims.

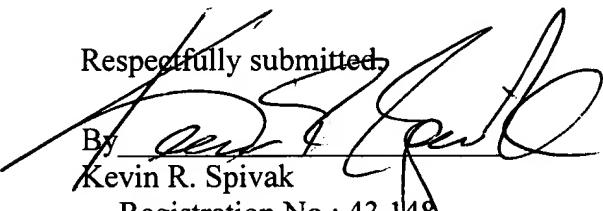
In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue. If it is determined that a telephone conference would expedite the prosecution of this application, the Examiner is invited to telephone the undersigned at the number given below.

In the event the U.S. Patent and Trademark office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952 referencing docket no.449122031200.

However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Dated: June 30, 2005

Respectfully submitted,

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Attachments